

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORKFILED
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U.S. DISTRICT COURT E.D.N.Y.

★ JAN 28 2005 ★

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NOVELL, INC.,

Plaintiff,

v.

CRESCENT COMPUTER & SOFTWARE
INC., a New York Corporation and AKBAR
PETIWALA,Defendants.
-----X

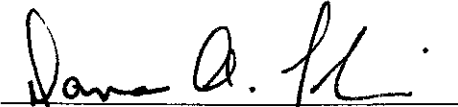
: STATUS REPORT

LONG ISLAND OFFICE

: Civil No. CV 02-3639-SJF-MLO

Pursuant to this Court's Request for Written Status Report, Plaintiff Novell, Inc. ("Novell") hereby advises the Court that the parties have settled this matter and are in the process of finalizing the settlement documents. The parties will submit a stipulation and final order resolving this case as soon as the signatures of the parties can be secured on the final settlement documents, which Novell expects to be in less than ten (10) days.

Delays have previously occurred in resolving this case because of confusion about the correct version of the settlement documents and a significant settlement issue that arose after the initial settlement documents were circulated. That impediment has now been resolved, and Novell does not anticipate any further delays.

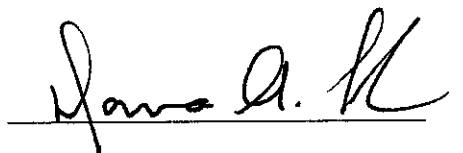
DATED: January 27th, 2005NORMAN H. ZIVIN
DONNA A. TOBIN
COOPER & DUNHAM, LLPGREGORY M. HESS
PARR, WADDOUPS, BROWN,
GEE & LOVELESS, PC

Attorneys for Plaintiff Novell, Inc.

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing **STATUS REPORT** was served on January 27th 2005, by U.S. Mail, first class postage prepaid, on the following:

Jacques N. Meshell
3669 Park Lane
Coconut Grove, Florida 33133

Attorney for Defendants Crescent Computer
& Software, Inc. and Akbar Petiwala



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January 27, 2005

* NEW YORK STATE BAR ADMISSION PENDING

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Eastern District of New York
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Central Islip, N.Y. 11722-4451

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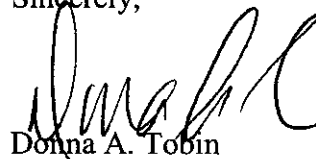
Re: Novell v. Crescent Computers & Software, Inc. et al
Civ. 02 3639 SJF-MLO
Dkt. 1836/67547

Dear Sir:

Enclosed for filing in connection with the above is a Status Report of Plaintiff Novell, Inc. A copy of these papers is being mailed, by Federal Express, to Mr. Robert Imrie, Courtroom Deputy to Judge Orenstein.

Thank you for your assistance.

Sincerely,


Donna A. Tobin

DAT/lf

cc: Mr. Robert Imrie (w/encl. by Fed Ex)
Gregory Hess, Esq. (w/encl.)
Norman H. Zivin, Esq.
Jacques Meshell, Esq. (w/encl.)